

Town of Weare

ZONING BOARD OF ADJUSTMENT

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ZONING BOARD OF ADJUSTMENT

MINUTES

Tuesday July 12, 2011

****FINAL COPY****

PRESENT: Jack Dearborn, Chairman; Forrest Esenwine, Member; Malcolm Wright, Member; Ian McSweeney, Member; Stu Richmond, Alternate; Chip Meany, Code Enforcement Officer; Sheila Savaria, Recording Secretary

GUESTS: Ginger Esenwine, Patrick & Susan Breur, Tim Galvin, Frank Campana, Tracy Laura, James Laura, Cheryl Wright, Pauline & Bruce Purington, Irene Bull, Bill Bull

I. INTRODUCTION:

Chairman Jack Dearborn called this meeting to order at 7:35 pm at the Weare Town Offices, explained how the Board conducted business, and asked the members present to introduce themselves. All 5 members were appointed voting members for the night.

II. PUBLIC HEARINGS:

Case #0511 Continued United States of America: Variance from Article 14-1, Lot Size Reduction
506 Mount Dearborn Road
Tax Map 407-92
Residential Zone

Chairman Dearborn told the Board he had a request for a continuance for this case until the September 6, 2011 ZBA meeting.

Jack Dearborn moved to continue case #0511 until the September 6, 2011 meeting; Forrest Esenwine seconded, all voted in favor. Case #0511 will be heard at the September 6, 2011 meeting.

Case #0411 Cheryl Wright Special Exception from Article 30B, Section C-2
Construction in Clinton Grove Historic District
Village Tax Map 407-68
281 Hodgdon Road, Village District

Jack Dearborn moved to accept the application for case #0411; Forrest Esenwine seconded the motion, all voted in favor.

Cheryl Wright explained to the Board that she had received a cease and desist order, but does not fully understand what she is asking for a special exception for. She is replacing the old structure of her home due to water damage that had caused rot and mold. The house is still a single family dwelling and will be built to conform back to its original appearance. New construction will include a fire escape, a new door, and a new roof, all of which will comply with regulations of the district. The house will be painted yellow with white trim to conform to original times. There will be no rooms added, no additional vehicles at the property, and no additional Town services will be required. There are currently trees and bushes around the property as a buffer, but she will put up more trees, shrubs, or fences, if required. Ms. Wright explained that by restoring the building, it will bring historic ambiance to the Clinton Grove era. The construction will not adversely affect the neighborhood because restoring it and updating the wiring and plumbing will increase the property value. The yard is being cleaned up and the landscaping

is expected to be completed by September.

Malcolm Wright questioned whether she was building 10 feet or 4 feet based on the drawings. After some discussion, it was determined by the Board that the application needs to be changed to reflect 16' to match the numbers on the Special Exception.

There were no abutters present. Chairman Dearborn closed the hearing at 8:00 pm.

Forrest Esenwine moved to grant the special exception for case #0411; Malcolm Wright seconded. Discussion: Forrest Esenwine said that this case has been clarified a lot more than the last time Ms. Wright appeared before them. All voted in favor.

Case #0611 Bruce & Denise Purington
 Special Exception article 19.1.10
 In-law apartment
 Tax Map 404-92
 268 Thorndike Road, Zone R

Jack Dearborn moved to accept the application for case #0611; Forrest Esenwine seconded, all voted in favor.

Bruce Purington, Quaker Street read his answers to the 7 questions on the application.

1. The specific site is an appropriate location for such a use in terms of overall community development because they are in a residential area and looking to add a small addition to accommodate their aging mother who needs a place to reside and be looked after. She is a long time resident of Weare, and they feel she should be able to stay in Town.
2. The proposed use will not adversely affect the neighborhood and should produce no significant reduction of real estate values in the neighboring area because the changes will fit the existing construction of the house, will raise the property value, and will blend in with the residential nature of the neighborhood. Since there will be no adverse changes to parking, there are no adverse effects to surrounding neighbors.
3. The proposed use will not be a nuisance or serious hazard to vehicular traffic or pedestrians because there will be no changes to the existing driveway or driveway entrance.
4. The proposed use will not cause an undue burden on the Town through the provision of basic Town services because this is a small addition that will house a single elderly parent, and it uses their own water and septic supply, there should be no undue burden presented.
5. Adequate off-street parking be provided if determined necessary by the ZBA: There is currently a long, wide driveway with ample parking with the house sitting approximately 200' off of Thorndike Street.
6. A buffer may be required to screen neighboring uses from the proposed use: This is a small addition to the existing structure which is surrounded by already existing, mature, natural buffers such as trees and shrubs.
7. The Purington's understand the need to ensure compliance and will adhere to all recommendations.

Forrest Esenwine said he had no problem with what is being requested, but did question the structure and in-scale drawings. Mr. Esenwine pointed out that an access door is required directly from the house to the proposed apartment, and in this drawing the access is through the garage. The Board suggested several ways to make the plans compliant. Mr. Purington and his planner took a few minutes to see if they could figure out how to make this compliant.

Malcolm Wright moved to go into recess; Stu Richmond seconded the motion, all voted in favor.

Mr. Purington suggested putting a door on the other side of the chimney and making an entryway from the main house. There would be a door coming from the apartment that would open to a new room, or

boxed in area, built in the garage. There would be a set of steps built in this area as well. Chip Meany asked for new drawings representing these changes.

Approving abutters:

Frank Campana from Quaker Street asked what provisions there are to negate the fact that if the in-law is not there, another family member or friend could move into the apartment? The Board explained that the apartment is actually considered an accessory apartment and that is not considered in the regulation, so anyone could move in. The regulation is fairly restrictive in that the apartment is required to attach directly to the house, which could make it less desirable to rent it out.

Jack Dearborn closed the public meeting at 8:47 pm.

Forrest Esenwine moved to grant the special exception for case #0611 for an accessory apartment as per changes agreed upon and showed on the sketch, and the stipulations the COE is aware of. The stipulation being there will be a door leading from the cathedral ceiling room, a stairway accessing the upstairs apartment through a stairway on the back of the garage. All subject to the building inspectors approval. Ian McSweeney seconded the motion; all voted in favor.

III. OTHER BUSINESS:

Minutes: Forrest Esenwine moved to approve the first draft of the June 7, 2011 minutes as distributed; Malcolm Wright seconded, all voted in favor.

Chip Meany showed the Board a variance extension request for Tom Wilson for Blake Road.

Forrest Esenwine moved to grant the variance extension for case #075; Malcolm Wright seconded, all voted in favor.

Chip Meany showed the Board an invitation to Evelyn Connors retirement party.

IV. ADJOURNMENT:

As there was no other business to come before the Board, Forrest Esenwine moved to adjourn at 9:00 pm; Stu Richmond seconded, all voted in favor.

Respectfully Submitted,

Sheila Savaria
Recording Secretary